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IAP20 Rec'd PCT/PTO 13 JAN 2006

PCT/IB2004/002309

P185; 410; 630

May 10, 2005

**European Patent Office
D-80298 München
Germany**

Dear Sirs,

**PCT Patent Application No. PCT/IB2004/002309
Based on Japanese Patent Application Nos. 2003-275062
and 2004-168115
Applicant: Taizo Michida
Short title: Alert Apparatus for Use with Fasteners**

With reference to the Official Communication dated 22 November 2004 containing the Written Opinion, I enclose herewith new pages 84 to 88 to replace pages 84 to 87 presently on file.

In this connection, the claims have been revised to further distinguish the claimed invention from the prior art cited by the Examiner.

I note the objections raised at Item V alleging that the present invention lacks novelty and inventive step. In this respect, the present invention concerns an alert apparatus for providing a reminder to indicate to a user that the fastener on their bag, for example, has been left open. In other words, the present invention allows a user to confirm the condition of their bag, i.e. whether it is open or closed, audibly, and hence in most circumstances more easily than by seeing or feeling the bag.

Specifically, the present invention concerns an alert apparatus which can be attached to or incorporated into a fastener, for example on the zip sliders of a zip fastener on a bag. Whenever the zip sliders are separated, the alert apparatus provides an alert indication which is directed to the user to let them know that their bag is open and reminding them to close it. Whenever the zip sliders are moved together again, thereby closing the bag, the alert indication is suppressed so that the user knows the bag is closed.

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Importantly, the alert indication is directed to the user to gently indicate if they have left the fastener open or unconnected. In this way, bystanders are not unduly disturbed by the alert indication. Indeed, as the alert indication is only directed to the user, the user will not feel uncomfortable if the alert indication continues for extended periods. The alert indication will, of course, stop as soon as the user closes the fastener.

In contrast to the present invention, the prior art systems cited by the Examiner all concern anti-theft devices which sound an alarm when a bag is opened in an unauthorised way. As such, the prior art systems address a different technical problem to the present invention in that they are specifically directed to drawing attention to an unauthorised act.

Accordingly, the prior art systems cited involve the production of alarm signals, which differ from the alert indication of the present invention in that they are directed to the world-at-large. That is, the alarm signals produced by the prior art systems involve the production of loud, high pitch, high energy, scream-like noises which are designed to deter criminals by drawing attention to them from any surrounding people. The distinctions between "an alert indication" and "an alarm" are discussed on page 6, lines 9-28 of the specification as filed. In addition, it is also noted that International Patent Classification (IPC) system classifies alarm signals under G08B13/00 (burglar, theft, or intruder alarms) or G08B15/00 (identifying, scaring, or incapacitating burglars, thieves or intruders, e.g. explosives); it is evident that the "alert indication" of the present invention could not be classified into either of these categories.

Furthermore, since the prior art systems are directed to drawing attention to unauthorised access, they operate such that once the alarm is tripped, it may only be deactivated by an authorised user. In this way, a criminal cannot deactivate the alarm themselves and hence will usually flee from the scene.

Both GB 2 284 698 and US 4 755 802 disclose such anti-theft alarm systems. In both cases, an electronic alarm circuit is fitted to two joining elements of a fastener on a bag. When the bag is opened in an unauthorised way and the joining elements are separated, the circuit detects this and sounds a loud alarm which draws attention to the unauthorised opening. Once the alarm has sounded, it continues until it is deactivated by pressing a deactivation switch hidden within the bag or a security code is inputted into a keypad (see GB 2 284 698 page 1, paragraph 5; and US 4 755 802 column 1, lines 52-56, column 3, lines 15-17 and 23-27). Moreover, both of the systems described in GB 2 284 698 and US 4 755 802 allow an authorised user to deactivate the alarm system before they open the bag, so that the alarm does not sound when they open it.

Accordingly, it is apparent that GB 2 284 698 and US 4 755 802 are directed to a quite different technical problem, namely, they do not concern an alert system to advise the user that for example their bag has been left open. As such, they do not address the same issues and cannot teach or remotely suggest the features of the present invention.

More specifically, the present invention produces an "alert indication" directed to the user to indicate a fastener, on their bag for example, is open. In contrast, GB 2 284 698

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and US 4 755 802 employ a loud, high energy alarm signal for drawing the attention of as many people as possible, and therefore could not be considered an "alert indication" as in the present invention.

Moreover, with the present invention, the alert indication is suppressed ~~whenever~~ the fastener elements are together. In contrast, with GB 2 284 698 and US 4 755 802, once the alarm sounds it can only be turned off by switching a deactivating switch, and not by re-closing the fastener.

Lastly, with the present invention, the alert indication is activated ~~whenever~~ the fastener is open to indicate to the user themselves that their bag, for example, is open. In contrast, with GB 2 284 698 and US 4 755 802, when an authorised user wishes to open the fastener, they must first deactivate the alarm system. That is, when an authorised user opens the fastener, no alarm sounds. It is only when the fastener is opened in an unauthorised manner, that the alarm will sound.

Therefore, it is submitted that the present invention, as defined in the claims, is both novel and has an inventive step over the prior art documents cited by the Examiner.

With regard to the objections raised at Item VIII, the Examiner will note that claims 1, 12, 13, 14, and 17 have been amended to clarify that the apparatus is "for attachment to fastener equipment", "connectable to a slider", and "connectable to a first slider".

I request reconsideration of the present invention in light of the above comments, and the issue of a favourable International Preliminary Examination Report.

Yours faithfully,



MICHIDA: Taiso
APPLICANT

Enc. Amended pages

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